

RESOLUTION NO. A-_____

1 WHEREAS, David Wiebe has submitted an application for a permit to use
2 the public right-of-way at The Mill, located at 4736 Prescott Avenue, for construction of a
3 handicap accessible ramp; and

4 WHEREAS, said applicant has submitted a letter of application and a site
5 plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and
6 made a part of this resolution by reference, to use the public right-of-way as above
7 described; and

8 WHEREAS, said applicant has complied with all of the provisions of Chapter
9 14.54 of the Lincoln Municipal Code pertaining to such use.

10 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
11 Lincoln, Nebraska:

12 That the application aforesaid of David Wiebe to use the public right-of-way
13 along the north side of Prescott Avenue at The Mill, commonly known as 4736 Prescott
14 Avenue, for the purpose of constructing a handicap accessible ramp, be granted as a
15 privilege only by virtue of and subject to strict compliance with the site plan, the letter of
16 application, and the following terms and conditions, to wit:

17 1. That the permission herein granted is granted as a privilege only, and
18 is subject to all the terms and conditions of Chapter 14.54 of the Lincoln Municipal Code
19 including those provisions relating to the posting of a continuing bond in the amount of
20 \$5,000, and the filing of a certificate of insurance with a minimum combined single limit of
21 \$500,000.00 aggregate for any one occurrence.

2. That said use shall be in full accordance with the aforesaid application,
the site plan filed therewith, and with all applicable City ordinances and regulations.

3. The applicant, his heirs, successors or assigns shall save and keep
the City free and harmless from any and all loss or damages or claims for damages arising
from or out of the use of the public way requested herein.

4. That all work done under the authority of this resolution shall be
subject to the inspection and approval of the Director of Public Works of the City of Lincoln.

5. The use of the public way herein granted and the terms and conditions
of this resolution shall be binding and obligatory upon the above-named applicant, his
successors and assigns.

6. That within thirty (30) days from the adoption of this resolution, and
before commencing any construction under the provisions hereof, the above-named
applicant shall file an unqualified written acceptance of all the terms and conditions of this
resolution with the City Clerk. Failure to do so will be considered a rejection hereof and all
privileges and authorities hereunder granted shall thereupon ipso facto terminate.

Introduced by:

Approved as to Form and Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002:

Mayor